

Name	Case No.
Lee Britton Clark	RF342-93

[FR Doc. 97-5124 Filed 2-28-97; 8:45 am]

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Notice of Issuance of Decisions And Orders During the Week of January 27 Through January 31, 1997

Office of Hearings and Appeals

During the week of January 27 through January 31, 1997, the decisions and orders summarized below were issued with respect to appeals, applications, petitions, or other requests filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, Room 1E-234, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585-0107, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays. They are also available in Energy Management: Federal Energy Guidelines, a commercially published loose leaf reporter system. Some decisions and orders are available on the Office of Hearings and Appeals World Wide Web site at <http://www.o.ha.doe.gov>.

Dated: February 21, 1997.

George B. Breznay,
Director, Office of Hearings and Appeals.

Decision List No. 18

Week of January 27 through January 31, 1997

Appeals

Consolidated Edison Company of New York, Inc., 1/28/97, VFA-0006

The DOE denied an appeal of a utility from a determination of its liability to the Uranium Enrichment Decontamination and Decommissioning Fund established under the Energy Policy Act of 1992. The DOE determined that the utility was properly assessed for separative work it purchased in leasing uranium from the DOE and for separative work used to enrich excess uranium the utility provided to its nuclear fuel fabricator.

Ezra A. Beattie, Sr., 1/28/97, VFA-0247

The DOE denied a Freedom of Information Act (FOIA) Appeal filed by Ezra A. Beattie, Sr. Beattie sought information concerning a particular Office of the Inspector General (IG) investigation. The OHA found that the IG's withholding of the identities of individuals who had provided information to the IG was appropriate under FOIA Exemptions 6 and 7(C).

Eugene Maples, 1/31/97, VFA-0258

Eugene Maples filed an Appeal from a determination issued by the Office of Inspector General (OIG) on November 25, 1996. The determination released information Mr. Maples had requested but deleted all personal names in that information under Exemptions 6 and 7(C). The DOE determined that not all of the names deleted were eligible for withholding under these Exemptions, because some of them were of persons who were neither the focus of the OIG's investigation nor witnesses. Therefore, the DOE granted the Appeal in part, and remanded the matter to the OIG to determine whether any of the names withheld could be released.

Request for Exception

LePiers' Inc., 11/28/97, VEE-0034

LePiers' Inc., filed an Application for Exception from the requirement that it file Form EIA-782B, entitled "Resellers/Retailers' Monthly Petroleum Products Sales Report." The DOE found that exception relief was not warranted in this case, because LePiers' was not experiencing a special hardship, inequity or unfair distribution of burdens as a result of the requirement that it file the Form. Consequently, the DOE concluded that the Application for Exception filed by LePiers' should be denied.

Personnel Security Hearing

Personnel Security Hearing, 11/28/97, VSO-0101

A Hearing Officer issued an Opinion regarding the eligibility of an individual to maintain an access authorization. The DOE Personnel Security Division alleged that the individual: (1) Deliberately misrepresented in a personnel security interview his use of marijuana and problems with prescription drugs; and (2) used, or experimented with drugs or other controlled substance. The DOE alleged that this conduct tends to show that the individual is not honest, reliable, or

trustworthy. The Hearing Officer determined that the individual did not deliberately falsify information in a personnel security interview. However, the Hearing Officer also determined that the individual used an illegal drug and abused prescription medication, which indicated that he is not honest, reliable or trustworthy. Accordingly, the Hearing Officer recommended that the individual's access authorization not be restored.

Refund Applications

Oivind Lorentzen Shipping As, 11/27/97, RG272-613

The DOE denied an Application for Refund filed on behalf of Oivind Lorentzen Shipping AS in the crude oil refund proceeding. The basis for the denial was the finding that the estimation method used by the firm to determine its petroleum product purchases during the refund period was not reasonable.

Wells Cargo, Inc., 11/28/97, RR272-124

Wells Cargo, Inc., filed a Motion for Reconsideration in the Supart V crude oil overcharge refund proceeding. The Office of Hearings and Appeals had previously rescinded the firm's crude oil refund because the firm had waived the right to receive such a refund by participating as a Surface Transporter in the Stripper Well refund proceeding. The firm requested that the Office of Hearings and Appeals reconsider that rescission, contending that it should have been able to claim refunds in the Subpart V refund proceeding that it could not have claimed in the Stripper Well refund proceeding. The OHA found no merit in this argument, stating that this very position had already been clearly considered and rejected by the Temporary Emergency Court of Appeals. Accordingly, Wells Cargo's Motion was denied.

Refund Applications

The Office of Hearings and Appeals issued the following Decisions and Orders concerning refund applications, which are not summarized. Copies of the full texts of the Decisions and Orders are available in the Public Reference Room of the Office of Hearings and Appeals.

Chatham Memorial Hospital	RJ272-33	1/28/97
Crude Oil Supple Ref Dist	RB272-00099	1/27/97
Dorothy and Harriet Davis	RK272-03695	1/30/97
D. R. and H. C. Davis	RK272-03933	
D. R. and H. C. Davis	RC272-00359	
Dorothy and Harriet Davis	RC272-00360	
Edwards Bros., Inc.	RA272-76	1/30/97
Farm Gas Coop. Assoc. et al	RG272-13	1/30/97
Medford Corporation	RJ272-34	1/29/97
Texaco Inc./William Penry	RF321-21089	1/30/97
Joanna Penry	RF321-21090	
Thelma E. McKee et al	RK272-01600	1/30/97
WHS, Inc	RF272-89499	1/30/97

Dismissals

The following submissions were dismissed.

Name	Case No.
Arawak Paving Co., Inc	RR272-00280
Harold & J. E. Layton	RR272-00277
Marietta Cooperative Oil Co	RG272-648
Personnel Security Hearing	VSO-0092
Personnel Security Hearing	VSO-0110
Poe Asphalt Paving, Inc	RR272-00278
Sankey Construction, Inc	RR272-00279
Varig Airlines	RG272-626

[FR Doc. 97-5125 Filed 2-28-97; 8:45 am]

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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: Equal Employment Opportunity Commission.

DATE AND TIME: Tuesday, March 11, 1997, at 2:00 P.M. (Eastern Time).

PLACE: Conference Room on the Ninth Floor of the EEOC Office Building, 1801 "L" Street, N.W., Washington, D.C. 20507.

STATUS: Part of the Meeting will be open to the public and part of the Meeting will be closed.

MATTERS TO BE CONSIDERED:

Open Session

1. Announcement of Notation Votes, and
2. Commissioners' presentations on recently announced Task Forces:
 - A. Assessing Priority Charge Handling System
 - B. Litigation Strategy
 - C. Best Employer Practices

Closed Session

Litigation Authorization: General Counsel Recommendations

Note: Any matter not discussed or concluded may be carried over to a later meeting. (In addition to publishing notices on EEOC Commission meetings in the Federal Register, the Commission also provides a recorded announcement a full week in advance on future

Commission sessions.) Please telephone (202) 663-7100 (voice) and (202) 663-4074 (TTD) at any time for information on these meetings.

CONTACT PERSON FOR MORE INFORMATION: Frances M. Hart, Executive Officer on (202) 663-4070.

Dated: February 26, 1997.

Frances M. Hart,

Executive Officer, Executive Secretariat.

[FR Doc. 97-5275 Filed 2-27-97; 12:17 pm]

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FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collections Being Reviewed by the Federal Communications Commission

February 24, 1997.

SUMMARY: The Federal Communications Commissions, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of

information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Persons wishing to comment on this information collection should submit comments May 2, 1997.

ADDRESSES: Direct all comments to Dorothy Conway, Federal Communications Commissions, Room 234, 1919 M St., N.W., Washington, DC 20554 or via internet to dconway@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collections contact Dorothy Conway at 202-418-0217 or via internet at dconway@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Approval No.: 3060-0536.

Title: Rules and Requirements for Telecommunications Relay Services (TRS) Interstate Cost Recovery.

Form No.: FCC Form 431.

Type of Review: Extension.

Respondents: Business or other for-profit entities.

Number of Respondents: 5000 respondents.

Estimate Hour Per response: 3.1 hours per response (avg.).